

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 4-6 and 29-36. These sheets, which include Figs. 4-6 and 29-36, replace the original sheets including Figs. 4-6 and 29-36.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following remarks is respectfully requested.

Claims 4-11 and 17 are pending in this application. By this amendment, Claims 4 and 17 have been amended; and Claims 12-16 and 18 have been canceled. It is respectfully submitted that no new matter has been added.

In the outstanding Office Action, the drawings were objected to under 37 C.F.R. § 1.83(a); the specification was objected; and the Title of the invention was objected to. Claims 4-11 and 17 were allowed.

Responsive to the objection to the drawings for failure to show the disclosed “data channel including E-DPCCH” in Figs. 4-6 as described in the specification in paragraph [0066] Figs. 4-6 have been amended to state “DATA CHANNELS include an E-DPCCH.” Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

With regard to the objections to Figures 29-31 stating that they should be designated by a legend such as --Prior Art--, it is noted that Figs. 29 to 36 are described in the “Background Art” from page 1, line 11 to page 5, line 24. Accordingly, Figs. 29-36 have been labeled “BACKGROUND ART.” Accordingly, it is respectfully requested that the objection to Figures 29-31 be reconsidered and withdrawn.

Regarding the objection to the specification with regard to the arrangement of the specification as provided in 37 C.F.R. § 1.77(b), the “BRIEF DESCRIPTION OF THE DRAWINGS” has been deleted from pages 54 to 58 of the specification and inserted on page 11, line 12. Accordingly, it is respectfully requested that the objection to the arrangement of this specification be reconsidered and withdrawn.

Regarding the objection to the Title as not descriptive, the suggestion in the Office Action has been adopted. Accordingly, the Title has been amended to “Channel Code

Assignment According to Gain Factor.” Accordingly, it is respectfully requested that the objection to the Title be reconsidered and withdrawn.

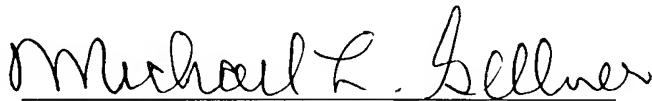
Accordingly, allowance of Claims 4-11 and 17 is respectfully requested.

Consequently, for the reasons discussed in detail above no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, reading "Michael L. Gellner". The signature is written in dark ink and is positioned above a horizontal line.

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